

## REMARKS

In this Amendment, claims 8 and 11 have been amended to more appropriately define the invention, and claims 13-17 have been added to protect additional aspects of Applicant's invention.

In the Office Action dated September 25, 2003, the Examiner rejected claims 8 and 9 under 35 U.S.C. § 103(a) as unpatentable over Kelly et al. (U.S. Patent No. 6,010,074) in view of Yap et al. (U.S. Patent No. 6,111,506), and further in view of Rostoker et al. (U.S. Patent No. 6,373,447), and in further view of Farmont (U.S. Patent No. 5,498,859).; and rejected claim 11 under 35 U.S. C. § 103(a) as unpatentable over Kelly et al. in view of Yap et al., and in further view of Rostoker et al.

In view of the following remarks, Applicant respectfully traverses the Examiner's rejections of the claims under 35 U.S.C. § 103(a).

The Examiner rejected claims 8 and 9 under 35 U.S.C. § 103(a) as unpatentable over Kelly et al. in view of Yap et al., and further in view of Rostoker et al., and in further view of Farmont. This rejection is respectfully traversed because a prima facie case of obviousness has not been made by the Examiner. To establish a prima facie case of obviousness, three basic criteria must be met. First, the prior art references as modified must teach or suggest all the claim elements. Second, there must be some suggestion or motivation, either in the references or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine the reference teachings.

Third, a reasonable expectation of success must exist. Moreover, each of these requirements must "be found in the prior art, and not be based on applicant's disclosure." (M.P.E.P. 2143.03 (8<sup>th</sup> ed. 2001)).

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

Present claim 8 provides for a wireless information storage device, comprising: a coil antenna having a two-dimensional center for transmitting and/or receiving a signal via wireless communication and a space therein; a memory arranged in the space of the coil antenna for storing information; a control unit that generates information by demodulating a signal received via the coil antenna, and generates a signal to be transmitted via the coil antenna by modulating information stored in the memory, the control unit being arranged in the space of the coil antenna; and a molded case having a two-dimensional center including the coil antenna, wherein each coil antenna is non-concentric with respect to coil antennas in other devices when a plurality of devices is stacked.

Applicant respectfully submits that Kelly et al. in view of Yap et al., and further in view of Rostoker et al., and in further view of Farmont do not disclose or suggest this claimed combination of elements. For example, the references do not disclose or suggest at least a molded case having a two-dimensional center including the coil antenna, wherein each coil antenna is non-concentric with respect to coil antennas in other devices when a plurality of devices is stacked.

In the Office Action dated September 25, 2003, the Examiner admitted that neither Kelley et al. nor Yap et al. teaches a device in which each coil antenna is located at a position in the device relatively different from each other when a plurality of devices is stacked. In recognizing the shortcomings of these two references, the Examiner is correct. It follows that neither of these two references teaches that each coil antenna is non-concentric with respect to coil antennas in other devices when a plurality of devices is stacked. Accordingly, Yap et al., either alone or in combination

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

with Kelly et al., do not disclose, teach, or suggest at least a molded case having a two-dimensional center including the coil antenna, wherein each coil antenna is non-concentric with respect to coil antennas in other devices when a plurality of devices is stacked.

The Examiner also explained that the Rostoker et al. reference was introduced to overcome the deficiencies of Kelly et al. and Yap et al. Rostoker et al., however, is not sufficient to overcome the aforementioned deficiencies of Kelly et al. and Yap et al. Rostoker et al. discloses a system in which an IC chip may include multiple antennas (col. 8, line 66 - col. 9, line 12). For example, a first antenna may be disposed within one portion of the IC chip, and a second antenna may be disposed within another portion of the IC chip (col. 9, lines 12-18). This embodiment of Rostoker et al., however, does not disclose that each coil antenna is non-concentric with respect to coil antennas in other devices when a plurality of devices is stacked, as claimed. This embodiment shows antennas within one device. The various chip portions disclosed by Rostoker et al. are not on different levels.

Another embodiment disclosed by Rostoker et al. shows that multiple antennas may be disposed in two different vertical planes on a single IC chip (col. 10, lines 9-15; FIGS. 7A and 7B). These antennas, however, are concentric with each other (FIGS. 7A and 7B; col. 10, lines 36-46). As such, this embodiment of Rostoker et al. does not disclose that each coil antenna is non-concentric with respect to coil antennas in other devices when a plurality of devices is stacked, as claimed.

In the Office Action dated September 25, 2003, the Examiner pointed to col. 10, lines 2-9 of Rostoker et al. as allegedly providing a motivation to combine the different

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

embodiments present in Rostoker et al. In this regard, the Examiner also alleged that "[b]y placing the antennas on different levels, both the number of turns and the area of loop would increase (due to the gained area from the antenna now disposed on a different level) and thus a loop antenna, as seen in Figure 6, would have better performance for both transmission and reception and thus both embodiments and cited passages were noted." (Office Action, page 5). Applicant respectfully submits, however, that the alleged motivation provided by the Examiner does not teach or suggest positioning stacked antennas so that they are not concentric with each other.

In the Office Action dated September 25, 2003, the Examiner also argued that there was no requirement in the claims for stacked antennas having to be non-concentric in order to be relatively different from each other (Office Action, pages 2-4). Applicant has amended claim 8 to specify that each coil antenna is non-concentric with respect to coil antennas in other devices when a plurality of devices is stacked.

Accordingly, Rostoker et al., taken either alone or in combination with Kelly et al. and Yap et al., do not disclose, teach, or suggest at least a molded case having a two-dimensional center including the coil antenna, wherein each coil antenna is non-concentric with respect to coil antennas in other devices when a plurality of devices is stacked.

Farmont is not sufficient to overcome the aforementioned deficiencies of Kelly et al., Yap et al., and Rostoker et al. The Examiner utilizes Farmont to allege a teaching of a memory or control unit in the space of a coil antenna. Farmont does not disclose or suggest at least coil antennas that are non-concentric with respect to coil antennas in other devices when a plurality of devices is stacked.

Accordingly, Farmont, taken either alone or in combination with Kelly et al., Yap et al., and Rostoker et al., do not disclose, teach, or suggest at least a molded case having a two-dimensional center including the coil antenna, wherein each coil antenna is non-concentric with respect to coil antennas in other devices when a plurality of devices is stacked.

For at least the foregoing reasons, Applicant submits that claim 8 is patentable Kelly et al. in view of Yap et al., and further in view of Rostoker et al., and in further view of Farmont.

Dependent claim 9 is allowable not only for the reasons stated above with regard to its respective allowable base claim, but also for its own patentable features that distinguish them from Kelly et al., Yap et al., Rostoker et al., and Farmont.

The Examiner rejected claim 11 under 35 U.S. C. § 103(a) as unpatentable over Kelly et al. in view of Yap et al., and in further view of Rostoker et al. Because claim 11 is an independent claim with recitations similar to those of claim 8, and because each of the references used in the rejection of claim 11 were used in the rejection of claim 8, Applicant submits that claim 11 is patentable over Kelly et al. in view of Yap et al., and in further view of Rostoker et al. for at least the reasons given with respect to the allowability of claim 8.

Since each of the claims is allowable, Applicant respectfully requests the timely allowance of this application.

If an extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this Amendment, such extension is requested. If there are any other fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

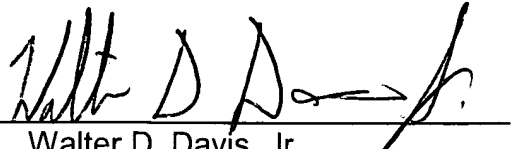
1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our  
Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 23, 2003

By:   
Walter D. Davis, Jr.  
Reg. No. 45,137

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER <sup>LLP</sup>

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)